

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

No. C92-040

In the matter of:
Alexander Calenda, M.D.

CONSENT ORDER

Pursuant to G.L. 1956 (1987 Reenactment) 5-37-5.2, a complaint was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging Alexander Calenda, M.D., Respondent, with violations of Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended. An investigation was conducted by Investigating Committee II, so called, of the Board.

The following constitutes the Investigating Committee's Findings of Fact with respect to the professional performance of the Respondent.

Findings of Fact

1. A 77 year old female patient presented to the Respondent's office with cloudy vision in the left eye and blurred vision in the right eye. The Respondent made a diagnosis of bilateral cataracts. A decision to perform cataract surgery was made.

2. Surgery was performed on each eye at different times. The cataract of the left eye was extracted by phacoemulsification. Documentation in the hospital medical record and in the Respondent's office record is confusing when referring to the eye upon which surgery was performed and is inappropriately sparse in detail.

3. During the surgery, the Respondent placed an intraocular lens designed for the posterior chamber into the anterior chamber. Documentation in the record makes it difficult to determine the status of the intraocular lens and its anatomic placement in the eye. Posterior lenses should be placed in posterior chambers. No attempt was made to correct the incorrect placement.

4. The Board finds the Respondent guilty of "unprofessional conduct" for violation of G.L. 1956 (1987 Reenactment) 5-37-5.1(19).

The parties agree as follows:

(1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license number, MD03346.

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee II of the Board and is subject to the final approval of the

Board. This Consent Order is not binding on respondent until final ratification by the Board.

(4) Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in his behalf at a hearing;
- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(5) If the Consent Order is not accepted by the

Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(6) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board. It shall be published as the Board, in its exercise of its discretion, shall determine.

(8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

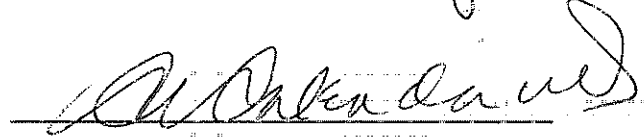
(9) Respondent accepts the Board's finding of unprofessional conduct with the sanction of a Reprimand.

The Respondent shall be required to pay an Administrative Fee
of \$1500.00 Dollars within 60 days of ratification of this
order.

Signed this

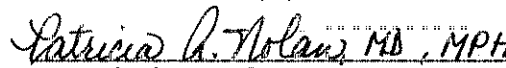
5th

day of August 1996.



Alexander Calenda, M.D.

Ratified by the Board of Medical Licensure and Discipline at
a meeting held on 14 August 1996.


Patricia Nolan, M.D., M.P.H.
Chairperson
Board of Medical Licensure and
Discipline